

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

FILED

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CLERK US DISTRICT COURT
WESTERN DISTRICT OF TEXAS

BY

THE QUANTUM WORLD
CORPORATION,

Plaintiff,

v.

DELL INC.,
HEWLETT-PACKARD COMPANY,
ACER, INC., and
ACER AMERICA CORPORATION,

Defendants.

Civil Action No. 1:11-cv-00688-SS

JURY TRIAL DEMANDED

SCHEDULING ORDER

BE IT REMEMBERED on this day the Court called the above-styled cause for a status conference and the parties appeared through counsel. The Court now enters the following scheduling order:

IT IS ORDERED that on or before **October 7, 2011**, the plaintiff shall file a short, concise, non-binding statement (five pages or less) of the alleged infringement(s), the identification of each claim regarding each infringement and how the accused product(s) infringes.

IT IS FURTHER ORDERED that on or before **October 21, 2011**, the defendants shall file a short, concise, non-binding statement (five pages or less for each defendant) of why the accused product(s) does/do not infringe.

IT IS FURTHER ORDERED that the plaintiff shall on or before **October 24, 2011**, submit a disc with a copy of the patents with the complete file wrapper, including parent applications and reexaminations, to include all prosecution history of the patent(s) involved in this litigation.

IT IS FURTHER ORDERED that a technical tutorial hearing is set for **November 4, 2011**, to begin at 9:00 a.m. in the United States Courthouse, Courtroom 2, 200 West Eighth Street, Austin, Texas 78701. The parties should be prepared to explain the technical background of the patent, the problems the patent addresses,

and how the patent performs to resolve problems. Each side will be permitted one (1) hour to make its presentation.

IT IS FURTHER ORDERED that the Markman hearing is set for **November 21, 2011**, beginning at 9:00 a.m., in Courtroom 2 of the United States Courthouse, 200 West Eighth Street, Austin, Texas 78701, and is expected to last five (5) hours with 2.5 hours allocated per side. On **October 28, 2011**, plaintiff and defendants shall submit their respective, proposed statements of claims (*Markman* briefs), which shall not exceed twenty (20) pages per side.

IT IS FURTHER ORDERED that on **November 14, 2011**, the parties shall submit their respective responses to proposed statements of claims (responses to *Markman* briefs), which shall not exceed ten (10) pages per side.

IT IS FURTHER ORDERED that on or before **November 10, 2011**, the parties should file one chart for each patent that identifies each disputed claim and contains a column with its construction of the disputed claim and a column with its understanding of the opposing party's construction of the disputed claim.


IT IS FURTHER ORDERED that by **November 7, 2011**, counsel for the plaintiff and defendants shall meet, confer, and attempt to reduce the number of issues for the Markman hearing, and shall exchange any exhibits (excluding demonstratives) intended to be relied upon at the Markman hearing.

IT IS FURTHER ORDERED that the following additional deadlines shall apply:

- Simultaneous exchange of claim terms for construction: **September 20, 2011.**
- Simultaneous exchange of proposed claim constructions: **October 4, 2011.**
- Close of claim construction discovery: **October 26, 2011.**
- Simultaneous exchange of extrinsic evidence, including declarations reflecting any expert opinions to be offered, and identification of any witnesses who will testify live at hearing: **October 14, 2011.**

IT IS FINALLY ORDERED that the Court will enter a supplemental scheduling order that sets the trial date and other relevant dates after it enters its Markman order, and the entry of this scheduling order in no way prevents the parties from engaging in discovery at this time or their counsel from filing any motion they deem necessary.

SIGNED this the 28th day of September 2011.



SAM SPARKS
UNITED STATES DISTRICT JUDGE